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# IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

	- X	
In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., et al.,	:	Case No. 08-35653 (KRH)
	:	
Debtors.	:	
	:	Jointly Administered
		•

EIGHTH ORDER REGARDING LIQUIDATING TRUST'S THIRD OMNIBUS OBJECTION TO LANDLORD CLAIMS (REDUCTION OF CERTAIN PARTIALLY INVALID CLAIMS, RECLASSIFICATION OF CERTAIN MISCLASSIFIED CLAIMS, DISALLOWANCE OF CERTAIN INVALID CLAIMS, DISALLOWANCE OF CERTAIN DUPLICATE CLAIMS, AND DISALLOWANCE OF CERTAIN AMENDED CLAIMS)

THIS MATTER having come before the Court<sup>1</sup> on the Liquidating Trust's Third

Omnibus Objection to Landlord Claims (Reduction of Certain Partially Invalid Claims,

Reclassification of Certain Misclassified Claims, Disallowance of Certain Invalid Claims,

Disallowance of Certain Duplicate Claims and Disallowance of Certain Amended Claims) (the

"Objection"), which requested, among other things, that the claims specifically identified on

Exhibit C through Exhibit G attached to the Objection be reduced or disallowed for those reasons

set forth in the Objection; and it appearing that due and proper notice and service of the

Objection as set forth therein was good and sufficient and that no other further notice or service

of the Objection need be given; and it appearing that the relief requested on the Objection is in

the best interest of the Liquidating Trust, the Debtors' estates and creditors and other parties-in
interest; and after due deliberation thereon good and sufficient cause exists for the granting of the

relief as set forth herein,

#### IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- The Court will conduct a status conference on October 9, 2012 at 2:00
   p.m. for all Claims identified on <u>Exhibit A</u> attached hereto.
- 2. The Liquidating Trust's rights to object to any claim including (without limitation) the Claims subject to the Objection, on any grounds that applicable law permits, are not waived and are expressly reserved.
- 3. The Liquidating Trust shall serve a copy of this Order on the claimants included on the exhibits to this Order on or before five (5) business days from the entry of this Order.
  - 4. This Court shall retain jurisdiction to hear and determine all matters

<sup>&</sup>lt;sup>1</sup> Capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Objection.

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arising from or relating to this Order.

Dated: Richmond, Virginia \_\_\_\_\_\_\_, 2012

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

#### WE ASK FOR THIS:

TAVENNER & BERAN, PLC

## /s/ Lynn L. Tavenner\_

Lynn L. Tavenner (VA Bar No. 30083) Paula S. Beran (VA Bar No. 34679) 20 North Eighth Street, 2<sup>nd</sup> Floor Richmond, Virginia 23219 (804) 783-8300

- and -

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- and -

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Counsel to the Circuit City Stores, Inc. Liquidating Trust

### **CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Lynn L. Tavenner
Lynn L. Tavenner

In re Circuit City Stores, et al. Case No. 08-35653 (KRH)

Exhibit A to Eighth Order Regarding Liquidating Trust's Third Omnibus Objection to Landlord Claims Alphabetical Listing of Claims for Which Status Conference Will Take Place on October 9, 2012 at 2:00 p.m.

Claim Holder	Claim	Exhibit
4110 Midland LLC		
Attn Michael Mason Pres		
Fairfield Financial	1.4207	Exhibit E
Group Inc Managing Member	14287	Invalid Claims to be Expunged
8 Greenway Plz Ste 1100		1 0
Houston, TX 77046		
4110 Midland LLC		
Attn Michael Mason Pres		
Fairfield Financial Group Inc Managing	12708	Exhibit E
Member	12/08	Invalid Claims to be Expunged
8 Greenway Plz Ste 1100		
Houston, TX 77046		
4905 Waco LLC		
Attn: Michael Mason President		
c/o Fairfield Financial Group, Inc.	13902	Exhibit E
Managing Member	13702	Invalid Claims to be Expunged
8 Greenway Plz., Ste 1100		
Houston, TX 77046		
4905 Waco LLC		
c/o Michael Mason , President		
c/o Fairfield Financial Group, Inc.,	12710	Exhibit E
Managing Member		Invalid Claims to be Expunged
8 Greeenway Plaza, Suite 1100		
Houston, Texas 77046	12.00	
Abercorn Common LLP	12682	
c/o Catherine Harrison King		Exhibit D
Miller & Martin PLLC		Claims to be Reclassified
1170 Peachtree St. NE, Ste. 800		
Atlanta, GA 30309-7706 Abercorn Common LLP		
c/o Catherine Harrison King Miller & Martin PLLC	13695	Exhibit E
	13093	Invalid Claims to be Expunged
1170 Peachtree St. NE, Ste. 800		
Atlanta, GA 30309-7706 Bank of America National Association		
Successor by Merger to LaSalle Bank		
National Association fka LaSalle		
National Bank		Exhibit E
c/o Capmark Finance, Inc.	9740	Invalid Claims to be Expunged
Peyton Inge		
700 N. Pearl St., Suite 2200		
Dallas, TX 75201		

Claim Holder	Claim	Exhibit
Bank of America, NA, as Trustee for the Registered Holders of Greenwich Capital Commercial Funding Corp Commercial Mortgage Trust 2007 G G9 Commercial Mortgage Pass Through Certificates Series 2007 G G9, as Collateral Assignee of Abercorn Common LLLP Mindy A. Mora, Esq. Bilzin Sumberg Baena Price & Axelrod LLP 200 S. Biscayne Blvd., Ste. 2500 Miami, FL 33131	8559	Exhibit E Invalid Claims to be Expunged
Basser Kaufman 312 LLC Attn James S Carr Esq Robert L LeHane Esq 101 Park Ave New York, NY 10001	12509	Exhibit C Reduction of Certain Partially Invalid Claims
Basser Kaufman Attn Marc Kemp 335 Central Ave Lawrence, NY 11559	14416	Exhibit E Invalid Claims to be Expunged
Carousel Center Company LP Attn Kevin M Newman Esq Menter Rudin & Trivelpiece PC 308 Maltbie St Ste 200 Syracuse, NY 13204-1498	12359	Exhibit E Invalid Claims to be Expunged
Carousel Center Company LPAttn Kevin M Newman EsqMenter Rudin & Trivelpiece PC 308 Maltbie St Ste 200 Syracuse, NY 13204-1498	12294	Exhibit E Invalid Claims to be Expunged
Central Park 1226 LLC Attn Neil E Herman c o Morgan Lewis & Bockius LLP 101 Park Ave New York, NY 10178	11962	Exhibit C Reduction of Certain Partially Invalid Claims
Centro Properties Group t a Parkway Plaza Vestal NY c o David L Pollack Esq Ballard Spahr Andrews & Ingersoll LLP 1735 Market St 51st Fl Philadelphia, PA 19103	8104	Exhibit G Amended/Superseded Claims to be Expunged

Claim Holder	Claim	F-hihit
	Claim	Exhibit
Centro Properties Group t a Parkway Plaza Vestal NY		
		Exhibit G
c o David L Pollack Esq	9102	Amended/Superseded Claims to be
Ballard Spahr Andrews & Ingersoll	8102	_
LLP		Expunged
Philadelphia, PA 19103		
1735 Market St 51st Fl Centro Properties Group ta Bakersfield		
Commons		
Bakersfield CA		
c/o David L. Pollack Esq.		Exhibit E
-	12543	Invalid Claims to be Expunged
Ballard Spahr Andrews & Ingersoll LLP		invalid Claims to be Expunged
1735 Market St. 51st Fl.		
Philadelphia, PA 19103		
Centro Properties Group ta Parkway		
Plaza Vestal NY		
c o David L PollackBallard Spahr		Exhibit E
Andrews & Ingersoll LLP	12584	Invalid Claims to be Expunged
1735 Market St 51st Fl		
Philadelphia, PA 19103		
Centro Properties Group ta Parkway		
Plaza Vestal NY		
c o David L PollackBallard Spahr		E-Milia E
Andrews & Ingersoll LLP	12580	Exhibit E
1735 Market St 51st Fl		Invalid Claims to be Expunged
Philadelphia, PA 19103		
Vestal NY		
Compton Commercial Redevelopment		
Company Watt		
20510225		Exhibit G
Attn: Dustin P. Branch Esq.	14224	Amended/Superseded Claims to be
Katten Muchin Rosenman LLP		Expunged
2029 Century Park East 26th Fl.		
Los Angeles. CA 90067		
Inland American Retail Management		
LLC		
Karen C. Bifferato and Kelly M.		
Conlan		Exhibit G
Connolly Bove Lodge & Hurtz LLP	14080	Amended/Superseded Claims to be
The Nemours Bldg.		Expunged
1007 N. Orange St.		
PO Box 2207		
Wilmington DE 19807		

Claim Holder	Claim	Exhibit
Inland Southwest Management LLC Attn: Karen C. Bifferato & Kelly M.	Camilia	
Conlan Connolly Bove Ldge & Hutz LLP The Nemours Bldg 1007 N. Orange St.	14928	Exhibit F Duplicate Claims to be Expunged
PO Box 2207 Wilmington, DE 19807		
Inland Southwest Management LLC Attn: Karen C. Bifferato and Kelly M.		
Conlan Connolly Bove Lodge & Hurtz LLP The Nemours Bldg. 1007 N. Orange St. PO Box 2207	13735	Exhibit G Amended/Superseded Claims to be Expunged
Wilmington, DE 19807 Inland Southwest Management LLC		
Attn: Karen C. Bifferato and Kelly M. Conlan The Nemours Bldg. 1007 N. Orange St. PO Box 2207 Wilmington, DE 19807	14095	Exhibit G Amended/Superseded Claims to be Expunged
Inland Western Avondale McDowell LLC c/o Bert Bittouma Esq. Inland Real Estate Group 2901 Butterfield Rd., 3rd Fl. Oak Brook, IL 60523	8943	Exhibit F Duplicate Claims to be Expunged
Regency Centers LP Attn: Randy Shoemaker 1 Independent Dr. Ste. 114 Jacksonville, FL 32202-5019	14381	Exhibit G Amended/Superseded Claims to be Expunged
Regency Centers LP Attn: Randy Shoemaker One Independent Dr. Ste. 114 Jacksonville, FL 32202-5019	14438	Exhibit E Invalid Claims to be Expunged
Riverside Towne Center No. 1 Watt 20510227 Attn: Dustin P. Branch Esq. Katten Muchin Rosenman LLP 2029 Century Park E. 26th Fl. Los Angeles. CA 90067-3102	14223	Exhibit E Invalid Claims to be Expunged
Ronald Benderson Randall Benderson and David H BaldaufAttn James S Carr EsqRobert L LeHane EsqKelley Drye & Warren101 Park AveNew York, NY 10178	9951	Exhibit E Invalid Claims to be Expunged

Claim Holder	Claim	Exhibit
Sangertown Square LLC		
Attn Kevin M Newman Esq		Exhibit E Invalid Claims to be Expunged
Menter Rudin & Trivelpiece PC	13702	
308 Maltbie St Ste 200		
Syracuse, NY 13204-1498		
Sangertown Square LLC		
Attn Kevin M Newman Esq		Exhibit E Invalid Claims to be Expunged
Menter Rudin & Trivelpiece PC	13704	
308 Maltbie St Ste 200		
Syracuse, NY 13204-1498		
Torrance Towne Center Associates		
LLC	9646	Exhibit G Amended/Superseded Claims to be Expunged
c o Ian S Landsberg		
Landsberg Margulies LLP		
16030 Ventura Blvd Ste 470		Lapungeu
Encino, CA 91436		
Valley Corners Shopping Center LLC		
Amy Pritchard Williams, Esq.		Exhibit E Invalid Claims to be Expunged
K&L Gates LLP	14360	
Hearst Tower, 47th Fl.	11300	
214 N Tyron St.		
Charlotte, NC 28202		
Wells Fargo Bank as Trustee for the		
Registered Holders of JP Morgan		Exhibit C
Chase Commercial Mortgage Securities		
Corp Commercial Mort		
Mindy A Mora Esq	8282	Reduction of Certain Partially
Bilzin Sumberg Baena Price & Axelrod		Invalid Claims
LLP		
200 S Biscayne Blvd Ste 2500		
Miami, FL 33131		